



NEWS RELEASE

December 6, 2002

Alien Smuggler Convicted of Manslaughter

TUCSON, Ariz.- Diego Gallegos-Castillo, an undocumented Mexican male, was convicted on 11 counts of alien smuggling in federal court on Jan. 7, 2002. Seven of those counts included sentencing enhancements of “Great Bodily Harm” and the remaining four included “Resulting in the Death of that Individual.” He was sentenced to 6 years for each count of alien smuggling and for those sentences to run concurrently.

While in federal custody, Gallegos was scheduled for trial in state court on manslaughter charges. He was offered and accepted a plea agreement of manslaughter, a Class 2 Felony on Dec. 5, 2002 with the possibility of up to ten-and-one-half years imprisonment. He will be sentenced at a later date. Per the plea agreement, that sentence will be served consecutively after the Federal sentence has been concluded.

On Feb. 5, 2000, Gallegos picked up a group of 11 undocumented aliens from a wash next to Federal Route 15 approximately 8 miles north of the international border. The vehicle contained six other undocumented aliens in the extended cab area of the pick-up and an additional five in the bed area. The investigation also revealed that upon entering the pavement of Federal Route 15 he continued to accelerate the stolen Chevrolet pick-up he was driving.

According to testimony, he was unable to control the vehicle and it began weaving from one side of FR 15 to the other. Gallegos lost control of the vehicle as it approached a 7-foot deep drainage ditch. The vehicle flew across the drainage ditch, struck the opposite bank and flipped over on its top. The accident resulted in the immediate death of three passengers from the cab area and one from the bed area. All of the other passengers, including Gallegos, survived the accident. The Tohono O’odham Police Department, Pima County Attorney’s Office, U.S. Attorney’s Office and the Border Patrol Anti-Smuggling Unit conducted the investigations.

Chief Patrol Agent David Aguilar said of the conviction and plea agreement, “This is an example of how state and federal investigative and prosecuting agencies working together can successfully prosecute criminals.”

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